FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Civil Application No. 60 of 2005
in
Contempt Petition No. 86 of 2005
with
Contempt Petition No.86 of 2005

Office NOtes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's order	Court or Judge's Order

Shri A.M.Kulkarni for applicants
Shri P.S.Dani for respondents.

CORAM: A.M.KHANWILKAR J.
10th January,2006.

P.C.

1. Heard counsel for the parties.

2. This application is opposed by Shri Dani for the respondents on the arguments that no averment is made in the application that the cause of action to pursue the contempt proceedings survives in favour of legal heirs of deceased applicant no.2. It is not necessary to go into that question for the simple reason that in the

present case the contempt petition is filed by 9 petitioners. In that sense contempt action can be continued on behalf of other petitioners. If it is so no prejudice would be caused to the respondents if this application is allowed. Hence, application is allowed in terms of prayer clauses (b) and (bb). Amendment to be carried out within two weeks from today failing which contempt petition to stand dismissed for non prosecution without further reference to court. If amendment is carried out within time, the contempt petition be listed on 27th March, 2006.